HBA 1654 -11

Regulation of HBA 1443

No.151(11)/5042-HCC of 1954.
Office of the Housing Commissioner,
Esplanade Maidan, Cruickshank Road,
Bombay1. 19th May 1954.

To

The Secretary to the Government of Bombay,
Public Works Department,
BOMBAY.

Subject:- Revision of Regulations issued under Section 67(a) and (b) of the Bombay Housing Board Act 1948.-

Ref:- Govt. letter P.W.D. No. HBA 2453/149171 H dated 9-3-1954.

Sir,

In para 6 of the Government letter referred to it is stated that the amendment to the Regulations under Section 67(a) and (b) of the Bombay Housing Board Act 1948 to incorporate definition of an Industrial worker as in the Factories Act 1948 should be proposed for allotment of tenements constructed under the old Housing Scheme in future. In this connection I am to refer to the marginally noted Government letters and to state that besides the incorporation of the definition of worker as mentioned above, in view of the contents of these Government letters, other modifications in the Regulations framed by the Board with Government approval under Section 67(a) and (b) of the Bombay Housing Board Act 1948 also appear to be necessary. The comulative effect of the four Government letters mentioned above as regards the modifications in the Regulations would be as stated below:-

(i) Government letter P.W.D. No.HBA. 2453/142437 H dated 7-1-1954.
(ii) Government letter P.W.D. No.HBA 1652/2266 H, dated 9-2-1954.
(iii) Government letter P.W.D. No.HBA 2453/7660 H, dated 9-2-1954

(1) In substitution of the existing explanation below Regulation No.3, the following explanation should be incorporated.

Explanation:- The term "Industrial Workers" means a person employed directly or through any agency whether for wages or not in any manufacturing process or in cleaning any part of machinery or premises used for a manufacturing process or in any kind of work identical to or connected with the manufacturing process or the subject of the manufacturing process and includes clerical workers in factories provided they are employed in or within the precincts of a factory.

(2) The revised regulation No. 5 should read as under:-

The percentage of reserved tenements for allotment by Government to houseless Government servants shall be 5 per cent for Class (i) and 20 per cent for class (ii) so far as tenements constructed under old Housing Schemes are concerned and there shall be no such reservation for Government servants in respect of tenements constructed under Subsidised Industrial Housing Scheme. However, tenements at C.S.S. Bandra shall be exclusively reserved for Government servants only. The Housing Commissioner shall communicate to Government the number of reserved tenements and vacancies therein in good time to enable Government to intimate the names of Government servant allottees.

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servant only. The Housing Commissioner shall communicate to Government

(3) The revised regulation No.6 should be read as under:-

The Board may reserve a few tenements not exceeding 2 per cent in a colony constructed or reconditioned under the old Housing Scheme for requisite amenities to the colony and may allot them in such manner and at such rent (not less than economic rent) as it thinks best. No such reservation for amenities shall be permissible in respect of tenements constructed under the Subsidised Industrial Housing Scheme.

(4)(i) The explanation II below Regulation No.7 should be slightly amended to read as under :-

Explanation II : Employees in Government undertakings which are governed by the Factories act, 1948, shall be eligible for unreserved tenements in colonies constructed or reconditioned under the old Industrial Housing Scheme for industrial workers and shall be treated as "Industrial workers" for the purpose of allotment of unreserved tenements at subsidised rent

(ii) Further, after the above explanation, the following additional explanation will have to be incorporated:-

Explanation III:- For the purpose of allotment of tenements constructed under the Subsidised Industrial Housing Scheme, employees of such of the State-owned companies or Corporations as are incorporated under the Indian Companies Act 1913 or any Corporation Act and fall within the scope of the Factories Act shall be treated as "Industrial workers" and they shall be eligible for allotment of such tenements at subsidised rent.

2. I would therefore request you kindly to indicate whether the Board should consider the modifications in the Regulations as mentioned above or whether in the modified regulations only the definition of the worker as indicated in Government letter P.W.D. No.HBA 2453/149171-H dated 9-3-1954 should be incorporated and other modifications therein may await finalization of Government policy regarding provision of requisite amenities in the new colonies etc. so that the requisite proposals may be put up to the Board for consideration.

Yours faithfully,

Id/-
for H O U S I N G C O M M I S S I O N E R,
Bombay.

CJ 23/6156.
CSN.19.6.

No. HBA 1654/67074.H

Public Works Department.
B.C. (Bombay No. 1)
2nd June 1954.

To

The Housing Commissioner, Bombay.

Subject: Regulations under section 67(a) & (b) of the Bombay Housing Board Act, 1948. Revision of------

Sir,

I am directed to refer to your letter No. 151 (11)/5042 HC-C dated 19.5.51, and to state that all the changes in the Regulations referred to in your letter under reference except the one relating to the reservation of tenements for amenities in industrial colonies may be put up to the Board for consideration and proposals as approved by the Board, may be forwarded for Government approval.

Yours faithfully,

Assistant Secretary.

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REGULATIONS UNDER SECTION 67 (A) & (B) OF THE BOMBAY HOUSING BOARD ACT OF 1948.

In exercise of the powers conferred by clauses (a) and (b) of Section 67 of the Bombay Housing Board Act, 1948 and with the previous sanction of the State Government as required by the said section, the Bombay Housing Board is hereby makes the following regulations, namely :-

1. Buildings constructed or reconditioned or in charge of the Bombay Housing Board will be managed by the Board through such staff as the Board may appoint in accordance with the sanctioned schedule of staff.

2. Subject to the general supervision of the Chairman, the Housing Commissioner shall be in charge of the Estate of the Board and its management, for which purpose, the Estate Manager, the Executive Engineer of the Housing Devision concerned and the other staff appointed by the Board for the work of estate management will be directly under his control. Subject to the directions of the Housing Commissioner the Estate Manager and the Executive Engineer of the Housing Devision concerned shal have the power to do, for and on behalf and in the name of the Board any of the following :-

(1) To ask for, or demand and receive payment of rent and other monies due to the Board and to give receipts releases and discharges for payments ~~and~~ made to the Board. The monies recovered shall be promptly credited to the Boards accounts.

To give notices to occupants of the tenements for and in connection with recovery of rent, ejectment, re-entry of re-taking possession of the tenements un authorised additions and alterations therein or breach of any of the terms and conditions of the agreement of leases or any other purposes whatsoever for which notices may be required to be given by law, agreement of the lease or the order of the Board, as the case may be.

To report the cases of persons falling under sections 53-A and 53- B of the Bombay Housing Board Act 1948 to the competent authority and for that purpose to furnish the necessary informations to the competent authority and act under the directions and orders of the competent authority.

To re-enter, re-take or resume possession of any tenement whenever required, or to remove any un-authorised occupant of any tenement and for the purpose hereof take such assistance of the employees of the Board or otherwise as may be found necessary.

To institute, maintain or conduct legal proceedings for recovery of claims, ejectment levy of distress or otherwise as may be necessary and for that purpose sign, verify, declare, affirm and present plaints, petitions applications appeals vakalatnamas for Counsel, Advocates, Solicitors engaged by the Board.

Generally to do such acts and deeds and things and execute such documents or instruments as may be proper or necessary for all or any of the purposes aforesaid.

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3. All residential tenements constructed or reconditione under the Housing Programme approved by Government shall be classified in accordance with Govt's directions into (i) those exclusively reserved for Industrial workers and (ii) those open to the general public for the low income groups (including Industrial Workers).

Explanation :- The term 'Industrial Workers' shall mean a perso employed directly through any agency whether for wages or not, in any manufacturing process or in cleaning any part of the machinery or premises used for a manufacturing process or in any other kind of work identical to or connected with the manufacturing porocess, or the subject of the manufacturing process. The term "Low- income groups " shall mean the section of the public to which the family income limit fixed in regulation 8 applies.

4. Tenements in class (i) shall be let at such subsidised rents as Government may, by special orders fix, while tenements in class (ii) shall be let at the economic rent calculated in accordance with the formula decided by Government from time to time

5. The percentage of reserved tenements for allotment by Govt. to houseless Govt. servants shall be 5 percent for class (i) and 20 percent for class (ii) so far as tenements constructed under old Housing Scheme are concerned and there shall be no such reservation for Govt. servants in respect of tenements constructed under the S.I.H.S. However the tenements at C.S.S. Bandra shall be exclusively reserved for Govt. servants only. The Housing Commissioner shall communicate to Govt. the number of reserved tenements and vacancies therein in good time to enable Govt. to intimate the names of Govt. servants allottees.

6. The Board may reserve a few tenements in a colony not exceeding 2 percent for requisite amenities to the colony and may allot them in such manner and such rent (not less than economic rent) as it thinks best.

7. Eligibility for the unreserved tenements shall be limited by the maximum total income of all the earning members of the applicants family proposing to lodge together. No one outside the family shall be permitted to lodge in the tenements. No Govt. servant shall be eligible for unreserved tenements.

Explanation I. The term Family shall mean :

(a) i) The applicant.
ii) His or her spouse
iii) Unmarried son & daughter.
iv) Married son with wife and unmarried children.
v) Widowed daughter with unmarried children
vi) Father & Mother.
vii) Unmarried brother & Sister.
viii) Widowed sister & unmarried children
ix) Grand parents
x) Married daughter
xi) Married brother and wife & unmarried sisters
xii) Unmarried children of married brothers & sisters.
xiv) Wife's unmarried sisters.
xv) Mother.in.law & father.in.law (both ways)
xvi) Uncle & Aunt (both Paternal & Materanal),

(b) In case where wife is the tenant she may be given an option at the time of allotment of a tenement to keep her husband's parents in lieu of hers and the option once exercised will be final.

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(c) The tenant may be allowed to keep any other dependent real relative with the permission of the Competent Authority.

(d) The tenant may be allowed in a genuine case to keep a person who is not a relative but a friend only with prior permission of the Competent Authority.

Conditions :-

1. All the persons who stay in the tenement shall have a common mess and none of them shall apportion any portion of the tenement exclusively for himself.

2. Relations who are not included in the term family and outsiders who are accommodated shall be required to declare that they have no right or design to claim the tenancy rights of the tenement where thay are allowed to stay and that they undertake to pay the rents and other dues of the Board in case the original tenant fails to pay the same.

Explanation II :- Employees in Govt. undertakings which are governed by Factories Act 1948, shall be eligile for unreserved tenements in colonies constructed or reconditioned under the Old Industrial Housing Scheme for Industrial workers and shall be treated as "Industrial workers " for the purpose of allotment of unreserved tenements at Subsidised rent.

Explanation III :- For the purpose of allotment of tenements constructed under the S.I.H.S. Employees of such of the State owned Companies or Corporations as are incorporated under the Indian Companies Act 1913 or any Corporation Act and fall within the scope of the Factories Act shall be treated as "Industrial Workers" and they shall be eligible for allotment of such tenements at Subsidised rent.

8. The maximum limit of family income in relation to Subsidised rents shall be Rs. 350/- p.m. and in relation to economic rent Rs. 500/- p.m.

As per Govt. letter No. HBA 1654/155092 H dated 21-12-54 (P.301 of file 173/II,), and Board's decision under item No.3 of meeting No. 220 dt. 7-1-55 (F.173/II P. 323 dt. 7-1-55).

9. The total number of persons to be lodged in a tenement shall not exceed the following scale :-

dp-

Type of tenement.	Total lodgers not to exceed (inclusive of applicant).
1-room tenement	6 persons.
2-room tenement	8 persons.
3-room tenement	10 persons.

10. The tenements so classified shall, as soon as they are about to be ready, be offered to the respective categori on payment of rent fixed for each type of tenement-permanent or semi-permanent, three room or two room etc.

P.T.O.

6/1/56

No. 151 (11)-1/ 465 BHB-C of 1955.

office of the Bombay Housing Board,

Esplanade Maidan, Cruickshank Road,

BOMBAY 18th MARCH 1955.

To:

The Jt. Secretary to the Government of Bombay,
Development Department (Backward Classes.
Rehabilitation and Housing)
BOMBAY .

Subject :- Regulations under Section 67 (a) and (b) of the Bombay Housing Board Act 1948 ---Revision of ---

Reference : Government letter (Public Works --- Department) No. HBA/1654/67074-H date 2-6-1954 and Government Letter (Public Works Department) No. HBA/1654/155092 - H dated 21-12-1954.

Sir,

I am to state that the Bombay Housing Board considered the above Government letters regarding revision of Regulations issued under Section 67(a) and (b) of the Bombay Housing Board Act 1948 at its 224th meeting helf on 1-3-1955, under item No. 5 of the Agenda for that meeting and approved of the modifications of the Regulations Nos. 3,5,7,8, and 9 framed under Section 67 (a) and (b) of the Bombay Housing Board Act, 1948 as shown in column 3 of the statement appended to the item note. Copies of the item note and the statement are sent herewith for information.

2/- A copy of the revised Regulations under Section 6' (a) and (b) of the Bombay Housing Board Act 1948, is sent - herewith with a request that Government may be moved to- accord neccessary approval to the same.

Yours faithfully,

D.A. i) Regulations

ii) Copies of Item Note and Statement.

Secretary,
Bombay Housing Board.

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Extract from the Minutes of the 232nd Meeting of the Bombay Housing Board held on 28-6-1955.

ITEM NO. 1.

The Board considered the question of amending the Bombay Housing Board Regulations framed under section 67 (a) and (b) of the Bombay Housing Board Act, 1948, on account of the apppointment of the Assistant Housing Commissioner (Estate Management) and accorded approval to the modifications as proposed in para 4 of the item note in Regulations Nos. 2,5,14, and 16 of the Regulations.

The Board also approved of certain verbal modifications as indicated below in Regulations Nos. 2, 7 (c), 7 (d), condition (2) in Regulation 7 (d) Explanation III in Regulation No. 7 :-

(a) In line 3 of Regulation 2 for the words 'Estate' and 'its' the words 'Estates' and 'their' should be substituted.

(b) In regulation 7 (c) in line 2, after the words 'relative with the and before the word 'permission', the word "written" should be inserted.

(c) In line 3 of Regulation No. 7 (d) after the words 'with prior' and before the word 'permisssion,' the word 'written should be inserted.

(d) In Regulation 7 (d) condition 2 in line 2 after the word 'declare' and before the words 'that they ', the words "in writing should be inserted.

(e) In regulation 7 Explanation III in line 5 after the words Factories Act and before the words shall be treated the figure "1948" should be inserted.

The Board directed that the necessary approval of Government to the modifications approved by the Board may be obtained.

" True Copy".

Secretary,
Bombay Housing Board, Bomba,.

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20/6.

No. 151 (11) (1)/9882 BHB-C of 1
Office of the Bombay Housing Board,
Esplanade Maidan, Cruickshank Road,
Bombay 6th July 1955.

To

The Joint Secretary to the Government of Bombay,
Rehabilitation, Housing and Backward
Classes Department,
Bombay.

Subject: Bombay Housing Board Regulations under S.67 (A) and (B) of the Bombay Housing Board Act 1948 Amendments to.

Reference: Government Rehabilitation, Housing and Backward Classes Department letter No. BHA -1654 / 16618-H, dated the 13th june '5

Sir,

At its 232nd meeting held on 28-6-1955, the Bombay Housing Board considered (Item No. 1) the question of amending the Regulations framed by the Bombay Housing Board under S-67 (A) & (B) of the Bombay Housing Board Act 1948, mainly on account of the appointement of Assistant Housing Commissioner (Estate Management). An amended copy of the regulations along with copies of the item note and the Bombay Housing Board decision thereon, are enclosed herewith.

2. I have now to request you please to move Government to issue VERY EARLY orders approving Regulations as now amended.

Yours faithfully,

D-A. : 3.

Secretary,
Bombay Housing Board,
Bombay.

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20/6.

No. HBA 1654/28626-H

R.H.B.C.D.

Sachivalaya 19th August 1955 .

To

The Secretary ,
Bombay Housing Board, Bombay.

Subject:-Bombay Housing Board regulation under section 67 (A) and (B) of Bombay B.H.B act 1948 Amendments etc.

Sir,

With reference to the correspondence resting with your letter No. 151 (11) (1) /982 BHB -C dated 6-7-1955 on the above subject I am directed to state that Government is pleased to aprove the amended Regulations under section 67 (a) & (b) of the Bombay Housing Board Act 1948, forwarded with your letter under reference. Twenty five copies of the amended regulations may please be forwarded to Government.

Yours faithfully,

1/7/55. Pl. issue on return .
29/7.

ssistant Secretary to Govt.

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REGULATIONS UNDER SECTION 67 (A) & (B) OF THE BOMBAY HOUSING BOARD ACT, 1948.

In exercise of the powers conferred by clauses (A) and (B) of Section 67 of the Bombay Housing Board Act, 1948 and with the previous sanction of the State Government as required by the said section the Bombay Housing Board hereby makes the following regulations namely :-

1. Buildings constructed or reconditioned or in charge of the Bombay Housing Board will be managed by the Board through such staff as the Board may appoint in accordance with the sanctioned schedule of staff.

2. Subject to the general supervision of the Chairman and the Housing Commissioner, the Assistant Housing Commissioner, (Estate Management) shall be in charge of the Estates of the Board and their management for which purpose the Estate Manager the Executive Engineer of the Housing Division concerned and the other staff appointed by the Board for the work of Estate Management will be ----- directly under this control. Subject to the directions of the Assistant Housing Commissioner (E.M.) the Estate Manager and the Estate Manager and the Executive Engineer of the Housing Division concerned shall have the powers to do for and on behalf and in the name of the Board any of the following :-

(1) To ask for or demand and receive payment of rent and other monies due to the Board and to give receipts releases and discharges for payments made to the Bord. The monies recovered shall be promptly credited to the Boards accounts.

(2) To give notices to occupants of the tenements for and in connection with recovery of rent ejectment entry of retaking possession of the tenements unauthorised additions and alterations therein or breach of any of the terms and conditions of the agreements of leases or an other purposes whatsoever for which notices may be required to be given by law agreement of the lease

(14) 73-74

Type of tenement.	Total lodgers not to exceed. (Inclusive of applicant.)
1-room tenement.	6 persons.
2-room "	8 persons.
3-room "	10 ppersons.

10. The tenements so classified shall as soon as they are about to be ready, be offered to the respective categories on payment of rent fixed for each type of tenement permanent or semipermanent, three room or two room etc.

11. The offer shall be made known widely through the local new papers. The press announcement shall specify location size, rent eligibility etc. in respect of the tenements offered for allotment.

12. Those desirous of taking advantage of the offer shall be required to make an application in accordance with Form I or I-A appended to these regulations.

13. All applications received before the date specified in the press announcement shall be registered in serial order and the register shall be closed on the day following the said date.

14. Soon after the register is closed and in any case not later than a week from the last date for the receipt of applications the Assistant Housing Commissioner (E.M.) in the case of tenements in limits of Greater Bombay and thana District and the executive engineer of the Housing Division concerned in the case of tenements elsewhere shall make arrangements for the drawal of lots from all the applications received and registered before the specified date. The lots shall be drawn in the presence of the allotment Committee consisting in the case of tenements in Limits of Greater Bombay and Thana District of the assistant Housing Commissioner (E.M.) as Chairman one officer from the Reh. Housing, one officer from the Commissioner of ~~Backward~~ backward classes department Labour and on-e officer from the Housing Board and in case of ~~Backward classes~~ tenements elsewhere as at present of the Executive Engineer, Municipality representative of the Local Textril Labour Association and Pre-sident District Local Board.

The Housing Division and Hand D concerned the mayor of the local

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) In case where wife is the tenant she may be given an option at the time of allotment of a tenament to keep her husbands parents in lieu of hers and the option once exercised will be final.

The tenant may be allowed to keep any other dependent real relative with the written permission of the Competent Authority.

The tnant may be allowed in a genuine case to keep a persons who is not a relative but a friend only with the written prior permission of tbe Competent Authority.

CONDITIONS.

1. All the persons who stay in the tenement shall have a common mess and none of them shall ap portion anyportion of the tenement exclusively for himself.

2. Relations who are not included in the term family and out siders who are accommodated shall be required to declare in writing that they have no right or design to claim the tnancy rights of the tnements hwere they are allowed to stay and that they under take to pay rents and otherdues of the Board in case the origianl teneant fails to pay the same.

EXPLANATION II. Employees in Government undertakings which are governed by Factories Act 1948, shall be eligible for unreserved t tenements in colonies constructed or reconditioned under Old Industrial Housing Schemes for Industrial Workers and shall be tre treated as Industrial Workers for the purpose of allottment of unreserved tenements at subsidised rent.

EXPLANTION III. For the purpose of allotment of tenements constructed under the S.I.H.S. employees of suc or the State owned companies or corporation shall under the Indian Companies Act or Corporations as are incorporated under the Indian Companies Act 1913 or any Corporation and fall within the scope of the Factories Act 1948 shall be treated as such Industrial workers and they shall be eligible for allotment of suc tenements as subsidised rent.

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15. The number of lots drawn shall in the first instance be equal to four times the number of tenements available for allotment in the respective classifications.

16. The names of those who have suceeded in the lots shall be arrangeed in the order drawn and pasted on the Board of the Assistant Housing Commissioner or executive engineer office as the case may be for the information of the public. Thereafter their applications shall be subjected to scrutiny by the allotment committee and underserving cases shall be rejected. The committee may scrutinise in particular a)whether the applicant has or has not any living accommodation b) if he has whether he is a lodger or a su-b tenant c) the size of applicants family the length of the applicants service as an employee and e) general conduct and circumstances of the applicant to decide if he is sutiable for livingi in the colony.

17. to make up for the rejected applications the committee shall considers other applications which suceeeded in the list and repeat further drawals if and as long as is necessary.

18. The decision of the allotment committee in respct of allotments an reallotments shall be final and comclusive.

19. subsequent vacancies shall be filled from the remaineder of the applications which suceeded in the drawal lower down in the list. Further drawal may be repeated in accordance with the procedure prescribed in regulations 11 to 17 abo-ve for the purpose if necessary.

20 the sucessful applications shall be required to execute an agreement in accordance with Form.II appended to these regulations.

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